

MS ISSUE FEE
Docket No.: 0445-0316P
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Haruko TOYOSHIMA et al.

Application No.: 10/019,650

Confirmation No.: 9924

Filed: January 3, 2002

Art Unit: 3761

For: Absorbent Member Having Three
Dimensional Guards

Examiner: M. M. Kidwell

REPLY TO NOTICE REGARDING INFORMATION DISCLOSURE STATEMENT

MS ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Office Communication dated October 17, 2006, which issued in connection with the above-identified application, applicants submit the following remarks, beginning on page 2.

REMARKS

On August 28, 2006, Applicants filed an Information Disclosure Statement (IDS) to submit a reference that was cited during prosecution of the corresponding Korean patent application.

On October 17, 2006, the Examiner issued an Office Communication, which indicated that the IDS filed on August 28, 2006, was not considered, because it failed to comply with 37 C.F.R. § 1.98(a)(2), which requires a legible copy of each cited foreign patent document.

Applicants submit that a legible copy of EP 0 649 482 A2 was submitted, along with a copy of the Korean Office Action. Attached hereto is a copy of the date-stamped postcard indicating receipt of these documents by the USPTO.

Accordingly, Applicants respectfully request that the Examiner give full consideration to the aforementioned European patent, and to return an initialed copy of the SB08 form to the offices of the undersigned. Another copy of the SB08, the European Patent and the Korean Office Action are attached hereto for the Examiner's convenience.

Applicants respectfully request consideration of the Information Disclosure Statement.

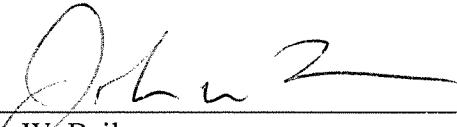
If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to contact Eugene T. Perez (Reg. No. 48,501) at the offices of Birch, Stewart, Kolasch & Birch, LLP.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Dated: OCT 27 2006

Respectfully submitted,

By


John W. Bailey

Registration No.: 32,881

BIRCH, STEWART, KOLASCH & BIRCH, LLP

8110 Gatehouse Road, Suite 100 East

P.O. Box 747

Falls Church, Virginia 22040-0747

(703) 205-8000

Attorney for Applicant

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number

Substitute for form 1449A/B/PTO				<i>Complete if Known</i>	
				Application Number	10/019,650-Conf. #009924
				Filing Date	January 3, 2002
				First Named Inventor	Haruko TOYOSHIMA
				Art Unit	3761
				Examiner Name	M. M. Kidwell
Sheet	1	of	1	Attorney Docket Number	0445-0316P

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)	MM-DD-YYYY		

FOREIGN PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)	MM-DD-YYYY		
BA	EP-0 648 482-A2		4-19-1995		T ⁶

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹Applicant's unique citation designation number (optional) ²See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04 ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST 3) ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST 16 if possible ⁶Applicant is to place a check mark here if English language Translation is attached

NON PATENT LITERATURE DOCUMENTS					
Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.			

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant

¹Applicant's unique citation designation number (optional) ²Applicant is to place a check mark here if English language Translation is attached.

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

Atty Docket No.: 0445-0316P
33

Inventor: Haruko TOYOSHIMA et al.

Application No.: 10/019,650-Conf. #009924

Filing Date: January 3, 2002

Title: Absorbent Member Having Three Dimensional Guards

Documents Filed:

- / IDS (Citation) by Applicant (1 Reference) (1 page)
- / Information Disclosure Statement (5 pages)
- / 1 Reference
- / Korean Office Action w/ English language translation



Via:

Sender's Initials: JWB/ETP/srm

Due Date: August 28, 2006

Date: August 28, 2006